

Title	Plain-Language Adoption Forms (revise forms ADOPT-050, ADOPT-200, ADOPT-210, ADOPT-215, ADOPT-220, ADOPT-225, ADOPT-230, ADOPT-310, ADOPT-315, ADOPT-320, and ADOPT-325)
Summary	The proposed adoption forms would be easier for self-represented litigants to complete and understand than the current forms, and have been adapted to comply with Assembly Bill 25, which provides for domestic partners to adopt his or her partner's child using the stepparent adoption process.
Source	Family and Juvenile Law Advisory Committee
Staff	Jennifer Walter, 415-865-7687 jennifer.walter@jud.ca.gov Allison Knowles, 415-865-4223 allison.knowles@jud.ca.gov
Discussion	<p>The proposed adoption forms were drafted with the assistance of a literacy expert and with input from adoption agency representatives, private attorneys, social workers, and judicial officers. The Family and Juvenile Law Advisory Committee provided review and oversight of the drafting. Through the use of plain English and careful formatting, the proposed forms were made simpler to use and understand than the current adoption forms. In format, substance, and style, the proposed adoption forms were modeled after the Judicial Council's newly proposed plain-language domestic violence forms.</p> <p>In addition, the proposed adoption forms have been adapted to comply with Assembly Bill 25, which greatly expands the legal rights and protections extended to domestic partners. The new law includes provisions for adopting a partner's child using the stepparent adoption process. Some of the organizations that assisted in the drafting of the adoption forms include the California Department of Social Services, the staff at Assembly Member Carole Migden's office, the National Center for Lesbian Rights, Consortium for Kids, and California Indian Legal Services. The committee seeks comment on the overall proposal as well as on particular issues highlighted in the following discussion.</p> <p><u>Major Revisions</u></p> <p><i>Layout and style</i></p> <p>All information that was previously included in the caption is now located in items 1 and 2, consistent with the domestic violence forms. When possible, direct address pronouns are used (such as <i>you</i>) in place</p>

of legal terms to make the text easier to understand. The adopting parent's information and the child's information are set out separately. The "file stamp" area, court location, and case number boxes are consolidated. All references to stepparent adoptions are changed to include domestic partners.

Form titles and numbers

The form title and number are prominently displayed in the upper left corner. The title is repeated in the footer. In reference to forms, numbers are preferred over titles. This preference follows tax form theory. It is believed that people can remember and refer to form numbers more easily than names because the numbers are distinct and shorter. In addition, the use of numbers reduces repetitive and lengthy form title references. Many of the form titles have been modified to replace confusing and ambiguous legal terms with straightforward explanatory terms.

Footers

The lower right corner is reserved for the page number and, when appropriate, an arrow to indicate another page. Code sections are moved to the lower left corner along with the form adoption or revision date, since self-represented litigants are less likely to require this information.

Text

The text has been revised for a sixth grade reading level. The type is larger than in the current forms and is generally 11 to 12 point rather than 9 or 10 point. Whenever they are referenced, adoption form numbers are in capital letters.

Graphics

Key information such as directional headings are in bold face, item numbers are highlighted by reverse block graphics, sections for the court's use only are shaded in gray, and notices are boxed in. Symbols have been added where appropriate, with a corresponding legend. Check boxes have been added where options are presented.

Specific Forms

Form ADOPT-050. (1) The title of the form is changed from *Adoption Information* to *How to Adopt a Child in California*. (2) Form ADOPT-50 has been formatted to be consistent with the other

adoption forms. (3) Stepparent/domestic partner adoption directions are on page 1 of the form, and independent, agency, and international adoption directions are on page 2. (4) The self-help Web site has been added. (5) The court forms that must be filed to complete an adoption are referenced by number and title with an explanation of the function of the form. (6) Specific directions on how and where to file the completed forms have been added. (7) An explanation that a social worker's report will be prepared has been added. (8) Specific directions on additional forms for adoption of an Indian child have been added as required by Family Code section 8603.

Form ADOPT-200. (1) The title of the form has been changed from *Petition for Adoption* to *Adoption Request*. (2) The date on which the domestic partnership was established or the date of the adopting parent's marriage is requested for the social worker's report in stepparent/domestic partner adoptions. A statement has been included to inform the adopting parent or parents that the date will not affect the social worker's recommendation. (3) All references to "unknown" or "presumed" father have been changed to "possible" father to avoid exclusion of any person that might claim parental rights. (4) An item has been added that states, "There is no legal father because the child was conceived by artificial insemination using a physician or a sperm bank" in accordance with Family Code section 7613.13. (5) An item has been added giving instructions to file form ADOPT-310 if seeking contact with the birth family.

Form ADOPT-210. (1) The title of the form has been changed from *Petitioner Consent and Agreement to Adoption* to *Adoption Agreement*. (2) An item has been added to allow the child to express his or her desire to retain a birth name, maintain contact with siblings, and consent to the adoption with a separate signature block. (3) A separate section has been added to allow for the parent retaining parental rights to give consent to the adopting parent. (4) The agreement has been separated into three sections: section (a) applies if there is only one adopting parent, section (b) applies if the person completing the form is the parent of the child being adopted and section (c) applies if there are two parents who are adopting; an option has been added to allow for each adopting parent to give consent to the other parent adopting the child.

Form ADOPT-215. (1) The title of the form has been changed from *Order of Adoption* to *Adoption Order*. (2) In the section listing the people present in court on the day of the hearing, an option has been

added to include the parent retaining parental rights in all stepparent/domestic partner adoptions, as well as lines to list any other persons present. (3) A gray section has been added to enclose the judge's orders. (4) The form clarifies that the clerk will complete item 10, regarding the adoption of an Indian child.

Form ADOPT-220. (1) The title of the form has been changed from *Attachment to Petition for Adoption—Adoption of an Indian Child* to *Adoption of an Indian Child*.

Form ADOPT-225. (1) The title of the form has been changed from *Consent to Termination of Parental Rights and Certification—Adoption of an Indian Child* to *Parent of Indian Child Agrees to End Parental Rights*.

ADOPT-230. (1) The title of the form has been changed from *Accounting Report—Adoptions to Adoption Expenses*. (2) The “services obtained” section has been itemized to include specific hospital expenses, prenatal care expenses, legal fees, adoption agency fee, transportation expenses, counseling fees, adoption service provider expenses, adoption facilitator fees, and “other,” since these are the fees typically associated with an adoption.

Form ADOPT-310. (1) The title of the form has been changed from *Postadoption Contact Agreement* to *Contact After Adoption*. (2) Symbols have been added with a legend indicating what type of contact with the child will be maintained or established. (3) The notice has been modified to include the statement “When the adopted child turns 18, he or she can undo all or part of this agreement.” (4) A block has been added for the child's signature.

Form ADOPT-315. (1) The title of the form has been changed from *Petition for Enforcement, Modification, or Termination of Postadoption Contact Agreement* to *Request to Enforce, Change, or End Contact After Adoption Agreement*. (2) A warning has been added in bold print: “The judge will not look at your request unless you and the other people who signed form ADOPT-310 first try to come to an agreement using mediation or some other form of dispute resolution.” (3) An option has been added to item 3 to write “Confidential” instead of the person's name if the agreement for contact after the adoption was confidential.

Form ADOPT-320. (1) The title of the form has been changed from *Response to Petition for Enforcement, Modification, or Termination of*

Postadoption Contact Agreement to Answer to Request to Enforce, Change, or End Contact After Adoption Agreement.

Form ADOPT-325. (1) The title of the form has been changed from Order on Petition for Enforcement, Modification, or Termination of Postadoption Contact Agreement to Judge's Order to: Enforce, Change, or End Contact After Adoption Agreement.

Attachments

In California, there are several kinds of adoption. Learn about stepparent / domestic partner adoptions on page 1, and independent, agency, and international adoptions on page 2.

Stepparent / domestic partner adoptions

If you want to adopt your stepchild or the child of your domestic partner, fill out and file the forms below. You can get them from the court clerk or from the self-help website: **www.courtinfo.ca.gov**

Fill out Court Forms

- | | | |
|------------------------------------|--------------------|--|
| <input type="checkbox"/> ADOPT-200 | Adoption Request | This tells the judge about you and the child you are adopting. |
| <input type="checkbox"/> ADOPT-210 | Adoption Agreement | This tells the judge that you and the child, if over 12, agree to the adoption. Fill it out, but do not sign it until the judge says so. |
| <input type="checkbox"/> ADOPT-215 | Adoption Order | The judge signs this form if your adoption is approved. |

Take your forms to court

Take the completed forms to the court clerk in the county where you live. The court will charge a filing fee. If you have a lawyer or are using an agency, take the forms to them.

Social Worker's Report

In every adoption, a social worker writes a report. This report gives important information to the judge about the adopting parents and the child. The social worker will ask you questions. You may have to fill out forms. The social worker will file the report with the court and send you a copy. When you get the report, ask the clerk for a date for your adoption hearing.

Go to court on the date of your hearing.

Bring:

- ☐ The child you are adopting
- ☐ Form ADOPT-210
- ☐ Form ADOPT-215
- ☐ A camera, if you want a photo of you and your child with the judge.

Independent, agency, or international adoptions

If this is an independent, agency, or international adoption, fill out and file the forms below. You can get them from the court clerk or from the self-help website: www.courtinfo.ca.gov

Fill out Court Forms

- | | | |
|------------------------------------|--------------------|--|
| <input type="checkbox"/> ADOPT-200 | Adoption Request | This tells the judge about you and the child you are adopting. |
| <input type="checkbox"/> ADOPT-210 | Adoption Agreement | This tells the judge that you and the child, if over 12, agree to the adoption. Fill it out, but do not sign it until the judge says so. |
| <input type="checkbox"/> ADOPT-215 | Adoption Order | The judge signs this form if your adoption is approved. |
| <input type="checkbox"/> ADOPT-230 | Adoption Expenses | This tells the judge about all your adoption expenses. |

Social Worker's Report

In every adoption, a social worker writes a report. This report gives important information to the judge about the adopting parents and the child. The social worker will ask you questions. You may have to fill out forms. The social worker will file the report and send you a copy. When you get the report, ask the clerk a for date for your adoption hearing.

Go to court on the date of your hearing.

Bring:

- ☐ The child you are adopting
- ☐ Form ADOPT-210
- ☐ Form ADOPT-215
- ☐ Form ADOPT-230
- ☐ A camera, if you want a photo of you and your child with the judge

If you are adopting an Indian child,
also fill out and bring:

- ☐ Form ADOPT-220
- ☐ Form ADOPT-225

ADOPT-200 Adoption Request

If filed, clerk will stamp below

(Court name and street address):

Case Number:

1 Name(s) of adopting parent(s):

- a. _____
b. _____

Relationship to child: _____

Your address (Skip this if you have a lawyer):

Street: _____

City: _____ State: _____ Zip: _____

Your phone #: (_____) _____

Your lawyer's name (if you have one), address, telephone, and State

Bar #: _____

2 Type of adoption: (Check one.)

- ☐ Agency (name): _____
☐ Independent
☐ International
☐ Stepparent / Domestic Partner

3 Information about the child:

a. ☐ Boy ☐ Girl

b. Birth date: ____/____/____ Age: _____

c. Place of birth (if known):

City: _____

State: _____ Country: _____

d. If the child is 12 or over, does the child agree to the adoption? ☐ Yes ☐ No

e. The child's new name will be:

4 Does the child have a legal guardian? ☐ Yes ☐ No

If "yes", attach a copy of the Letters of Guardianship and fill out below:

a. Date guardianship ordered: ____/____/____

b. County: _____ c. Case number: _____

5 Is the child a dependent of the County? ☐ Yes ☐ No

If "yes", write Juvenile Case Number: _____ County: _____

6 Is the child a member of an American Indian tribe? ☐ Yes ☐ No

If "yes", attach Form ADOPT-220 [Adoption of an Indian Child].

7 Child's address (if different than yours):

Street: _____

City: _____ State: _____ Zip: _____



Your name(s): _____

Case Number: _____

- 8 I/We have received information about the Adoption Assistance Program and mental health services available through Medi-Cal or other programs. ☐ Yes ☐ No
- 9 If this is an Open Adoption:
Form ADOPT-310 [Contact after Adoption Agreement]:
☐ is attached ☐ will not be provided ☐ will be filed at least 30 days before the adoption hearing
- 10 If this is a Stepparent / Domestic Partner Adoption, write date:
Adopting parents were married: ____/____/____ OR Domestic partnership established: ____/____/____
(This does not affect the social worker's recommendation. Information is for court only. There is no waiting period.)
- 11 If this is an Independent Adoption:
a. ☐ A copy of the Adoptive Placement Agreement is attached. (Required in most independent adoptions; see Fam. Code, § 8802)
b. ☐ Petitioner(s) will file promptly with the department or delegated county adoption agency information required by the department in the investigation of the proposed adoption.
c. ☐ The consent of the ☐ birth mother ☐ presumed father is not necessary because (specify Fam. Code, § 8606 subdivision): _____
- 12 A court ended the parental rights of the:
☐ legal mother(s) ☐ biological father ☐ legal father(s) ☐ possible father
Attach copy of order if available.
- 13 ☐ There is no legal father because the child was conceived by artificial insemination using a medical doctor or a sperm bank. (Fam. Code § 7613)
- 14 I/We will ask the court to end the parental rights of the:
☐ legal mother(s) ☐ biological father ☐ legal father(s) ☐ possible father(s)
- 15 The people below agree the child should be placed for adoption by the California Department of Social Services or a licensed adoption agency (Fam. Code § 8700):
☐ legal mother(s) ☐ biological father ☐ legal father(s)
- 16 The people below agree to the adoption:
☐ legal mother(s) ☐ biological father ☐ legal father(s)
Attach signed agreement, if available.



Your name(s): _____

Case Number: _____

- 17 The people checked here have died:
☐ legal mother(s) ☐ biological father ☐ legal father(s)

- 18 Suitability for Adoption:
Each adopting parent:

- | | |
|--|---|
| a. Is at least 10 years older than the child | d. Has a suitable home for the child, and |
| b. Will treat the child as their own | e. Agrees to adopt the child. |
| c. Will support and care for the child | |

- 19 I/We ask the court to approve the adoption and to declare that the adopting parent(s) and the child have the legal relationship of parent and child, with all the rights and duties of this relationship.

I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct, which means if I lie on this form, I am guilty of a crime.



Signature of Adopting Parent

____/____/____
Date

Type or print your name



Signature of Adopting Parent

____/____/____
Date

Type or print your name



Signature of Lawyer for Adopting Parent(s)

____/____/____
Date

Type or print your name

ADOPT-210 Adoption Agreement

If filed, clerk will stamp below

(Court name and street address):

Case Number:

1 Name(s) of adopting parent(s):

a. _____

b. _____

Relationship to child: _____

Your address (Skip this if you have a lawyer):

Street: _____

City: _____ State: _____ Zip: _____

Your phone #: (_____) _____

Your lawyer's name (if you have one), address, telephone, and State

Bar #: _____

2 Name of child:

Date of Birth of Child: ____/____/____ Age: _____

3 I am the child listed in 2 and I:

☐ a. want the name I was born with to be on the adoption order so that my relatives can contact me.

☐ b. want to be able to contact my sister(s) or brother(s) after the adoption and ADOPT-310 will be filed.

☐ c. agree to the adoption.



Signature of adopted child, if 12 or older

____/____/____
Date

Type or print your name

4 Agreement

You must fill out a, b, or c:

a. If only one adopting parent, read and sign below:

I am the stepparent / domestic partner listed in 1 and I agree with the child and the State of California that the child will:

☐ 1. be adopted and treated as my legal child, and

☐ 2. have the same rights as a natural child of mine, including the right of inheritance.



Signature of Adopting Parent

____/____/____
Date

Type or print your name

b. If you are the parent of the child listed in 2, read and sign below:

I am the parent and spouse or domestic partner of the adopting parent listed in 1 and I agree to his/her adopting my child.



Signature of Adopting Parent

____/____/____
Date

Type or print your name

Your name(s): _____

Case Number: _____

c. If two adopting parents, read and sign below:

We are the adopting parents listed in ❶ and we agree with the child and the State of California that the child will:

- ☐ 1. be adopted and treated as our legal child, and
- ☐ 2. have the same rights as a natural child of ours, including the right of inheritance.
- ☐ 3. I agree with the other parent to adopt the child.



Signature of Adopting Parent

____/____/____
Date

Type or print your name



Signature of Adopting Parent

____/____/____
Date

Type or print your name

Executed:

____/____/____
Date



Signature of Judge (or Judicial Officer)

ADOPT-215 Adoption Order

If filed, clerk will stamp below

(Court name and street address):

Case Number:

1 Name(s) of adopting parent(s):

- a. _____
b. _____

Relationship to child: _____

Your address (Skip this if you have a lawyer):

Street: _____

City: _____ State: _____ Zip: _____

Your phone #: (_____) _____

Your lawyer's name (if you have one), address, telephone, and State

Bar #: _____

2 Name of child:

Date of Birth of Child: ____/____/____ Age: _____

3 People present in court today (date): ____/____/____ in:

Dept.: _____ Div.: _____ Room: _____

Judge: _____

☐ Adopting parent(s) ☐ Lawyer for adopting parent(s)

☐ Child ☐ Child's lawyer

☐ Parent keeping parental rights [stepparent / domestic partner]: _____

☐ Other people present (List name and relationship to child):

a. _____ c. _____

b. _____ d. _____

Judge will fill out grey section below

4 The judge finds that the child: (Check all that apply)

a. ☐ is 12 or over and agrees to the adoption

c. ☐ can contact his or her birth brothers and sisters, as described in ADOPT-310

b. ☐ wants the name he or she was born with listed here so relatives can contact child

d. ☐ has attached a Contact After Adoption Agreement

Child's Name: _____

5 The judge reviewed the report and other documents and evidence and finds that each adopting parent:

a. is at least 10 years older than the child

d. has a suitable home for the child, and

b. will treat the child as their own

e. agrees to adopt the child

c. will support and care for the child



Case Number:

Your name(s): _____

6 ☐ The child is an Indian child. The judge finds that this adoption meets the placement requirements of the Indian Child Welfare Act and there is good cause to give preference to these adopting parents. The clerk will fill out 10 below.

7 The judge approves the Contact After Adoption Agreement [ADOPT-310]
☐ as submitted ☐ as amended on Adopt-310

8 ☐ The judge believes the adoption is in the child's best interest.

9 The judge orders this adoption, and:
• The child's name after adoption will be: _____
• The adopting parent(s) and the child are now parent and child under the law, with all the rights and duties of the parent-child relationship.

____/____/____
Date



Signature of Judge (or Judicial Officer)

10 For the adoption of an Indian Child, the Clerk certifies:
I am not a party to this adoption. I placed a filed copy of:
☐ ADOPT-200, Adoption Request
☐ ADOPT-215, Adoption Order
☐ ADOPT-220, Adoption of an Indian Child Attachment
☐ ADOPT-310, Contact after Adoption Agreement
in a sealed envelope, marked "Confidential", and addressed to:
Chief, Division of Social Services
Bureau of Indian Affairs
1849 C Street, N.W.
Mail Stop 310-SIB
Washington, DC 20240

The envelope was mailed, with full postage, by U.S. mail from:

Place: _____ on Date: ____/____/____

Date: ____/____/____ Clerk, by _____ Deputy